



TOWN OF THORNTON BOARD OF SELECTMEN

Town of Thornton • 16 Merrill Access Road • Thornton NH, 03285 • 603.726.8168

Approved on: 10-21-20
BOS Initial: MP
Rec'd by Town Clerk on: 10/27/2020
Town Clerk Initials: dpm

Board of Selectmen Meeting Minutes September 23, 2020

4:03 PM Chairwoman Peabody opened the Thornton Board of Selectmen meeting work session with the Pledge of Allegiance. This meeting was held via Zoom with the link referenced on the posted agenda.

ROLL CALL: Chairwoman Marianne Peabody, Vice-Chairman Brad Benton, Selectman Roy Sabourn, Selectman Jack Gaites, and Selectman Joseph Monti.

STAFF PRESENT: Debra Shepard, Town Administrator

Manifests

MOTION: "To approve the payroll manifest 9/25/2020 in the amount of \$37,308.97."

Motion: B. Benton

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Joseph Monti – abstained, Roy Sabourn – abstained, Jack Gaites – yes.

Motion Passes: 3 – Yes, 0 – No Abstained: 2

MOTION: "To approve the vendor manifest dated 9/25/2020 in the amount of \$445,825.90."

Motion: J. Monti

Seconded: R. Sabourn

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – abstained, Roy Sabourn – yes, Joe Monti – yes, Jack Gaites – abstained.

Motion Passes: 3– Yes, 0 – No Abstained: 2

Minutes

MOTION: "To approve Board of Selectmen public meeting minutes of September 9, 2020 as amended."

Motion: B. Benton

Seconded: R. Sabourn

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes, Joe Monti – yes, Jack Gaites – abstained.

Motion Passes: 4 – Yes, 0 – No Abstained: 1

M. Peabody and J. Monti viewed properties available for tax deeding. M. Peabody stated that the Selectboard members should have a magnetic sign for their vehicles as identification when they are visiting properties doing official town business. All Board members agreed to order two magnetic signs indicating Town Officials, so that residents know when town officials are conducting town business.

M. Peabody suggested that the Board consider adding a code enforcement officer position. J. Monti suggested holding a public meeting on this position to gather feedback from the townspeople. TA Shepard suggested holding this meeting prior to budget meetings. The Board unanimously agreed to hold a public hearing regarding a code enforcement officer position prior to budget meetings.

MOTION: "To approve the consent agenda dated September 23, 2020 as presented."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – abstained, Roy Sabourn – yes, Joe Monti – yes,
Brad Benton – Yes, Jack Gaites – yes.

Motion Passes: 4 – Yes, 0 – No Abstained: 1

The following items were approved as part of the Consent Agenda for September 23, 2020:

1. ZCA 2020-51, ALN Bros Trust (Torcasio, G&S), PID 6-6-9-03, Highland Pointe Drive
Project Description: 26X50 SF house & 25X30 garage.
2. ZCA 2020-53, Boyd Trust (Robert & Lynn), PID 11-1-20 5, Karma Court
Project Description: Demo old shed; build new 10X10 shed.
3. ZCA 2020-54, Sanborn, David, PID 17-15-1, Snowood Drive
Project Description: 28X38 3-BR SF house
4. ZCA 2020-55, Tower, Kent & Maureen, PID 10-10-7, 3039 US Route 3
Project Description: 40X32 garage
5. ZCA 2020-56, Haapaoja, Joyce & Neal, PID 17-17-8 2, Snowood Drive
Project Description: Exterior only; foundation stabilize & seal.
6. ZCA 2020-57, Short, Ron & Engelmann, Fawn, PID 12-3-2, 16 Cold Springs Road
Project Description: 6X6 raised generator pad.
7. Certificate of Appointment – Theresa Ludwick, Democrat, Ballot Clerk.

Returned Check Policy

During the previous board meeting, the Selectmen agreed to amend the returned check policy. Currently, if a check is returned to the town for non-payment of services, the person is no longer permitted to write checks to the town for one year. There have been situations recently where checks have been returned to the town due to an entry error when making payments online. The board agreed that this type of error is different than a return for insufficient funds. The Board reviewed the current policy and some proposed changes. TA Shepard explained that the proposed changes allow for an appeal to the Board of Selectmen's policy for any check that is returned to the town, except those returned for insufficient funds.

MOTION: "To approve the amended returned check policy as proposed on September 23, 2020."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes,
Joe Monti – yes., Jack Gaites - yes

Motion Passes: 5 – Yes, 0 – No Abstained: 0

No Cash Policy

A Board member previously requested to have a discussion on creating a No Cash Policy for the town hall. TA Shepard provided information relative to creating a No Cash Policy as well as legal opinions from NHMA.

Selectman Monti feels that the employees are put in an untenable situation and undergo agony having to handle cash and balance accounts at the end of the day.

Selectman Sabourn disagreed and feels that cash is legal tender and should be accepted.

Chairwoman Peabody feels that the town office has always accepted cash without concern. She also stated that many taxpayers choose to pay their taxes with cash.

TA Shepard explained the secure process of handling cash in place at the town hall.

J. Monti recommended holding a non-public session this evening to discuss this further.

MOTION: "To continue to accept cash as legal tender for payments made at town hall."

Motion: R. Sabourn

Seconded: J. Gaites

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes,
Joe Monti – abstained, Jack Gaites - yes.

Motion Passes: 4 – Yes, 0 – No Abstained: 1

Tax Deeding

Chairwoman Peabody and Selectman Monti visited properties for tax deeding this year as part of their annual process.

MOTION: "To waive the tax deeding policy for PID# 8/9-9 (bankruptcy), PID# 8/9-8(bankruptcy) and PID # 11/2-2 (liability)."

Motion: B. Benton

Seconded: J. Gaite

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes,
Joe Monti – yes, Jack Gaite - yes.

Motion Passes: 5 – Yes, 0 – No Abstained: 0

Banjo Drive Residents – Cats in Neighborhood

Residents are complaining that there are cats in the Banjo Drive neighborhood that are defecating on neighbor's property, in gardens, and on personal property. Health Officer, Marianne Peabody, sent a letter to the cat owner concerning this issue. The owner of the cats has asked M. Peabody not to visit their property in the future.

Officer Meier stated that there are few laws in the state relative to cats. Cats over 3 months of age do need to have their vaccinations. He visited the property owner and found 7 adult cats, 3 kittens (which are going to new homes), and the cats appeared in good health. The property owner is in the process of vaccinating the cats. Officer Meier plans to follow-up with the owner regarding vaccinations.

M. Peabody stated that the problem at this point is there are many cats wandering in the neighborhood and are causing a problem for neighbors.

Heidi Goyette explained that she sees three cats in particular on a regular basis. One of the cats appears unhealthy. The cats are going to the bathroom on their vehicles and preventing their own pets from being able to run in their own yard. This is creating a hardship for her family. Heidi explained that she did contact the cat owners and did not receive an amicable response.

Steve Madelia provided a formal complaint letter regarding the feral/adopted cats on Banjo Drive. Additional discussion was held on the rights of the property owners and options to prevent this problem from becoming worse.

J. Monti stated that there is no law that prevents cats from visiting neighboring properties. M. Peabody stated that this has become a health problem with the defecating and is impacting the neighbors right to enjoy their properties.

Selectman Sabourn stated that it appears this problem has become a public nuisance. He feels that the written complaint reflects a public nuisance which may be able to be addressed by the Police Department through the disorderly action ordinance put in place by the Board of Selectmen. Officer Meier agreed to look into regulations that could be enforced.

The Board agreed that Officer Meier should meet with the owner of the cats again. M. Peabody stated that she would like to work with Officer Meier on this problem. Officer Meier agreed to work on this as soon as his schedule allows.

Transfer Station Intergovernmental Agreement Discussion

Selectman Monti stated that during the previous board meeting, the Board agreed that TA Shepard would request the Campton Board of Selectmen meet with the Thornton Board at the Thornton Town Hall. Selectman Monti asked for an explanation as to why the meeting was scheduled at the Town Hall in Campton.

Chairwoman Peabody explained that TA Shepard did contact the Town of Campton in an effort to schedule a meeting with two members of each Board as previously discussed. During the discussion with Campton, there was a concern with the size of the Thornton meeting room not being large enough to be socially distant. It was suggested that the meeting take place in Campton since their meeting room is larger. Chairwoman Peabody also explained that it may be better to have both full boards meet together rather than two members from each board.

TA Shepard informed the board that she sent an email to the Campton Town Administrator informing her of the Thornton Board's request to extend the current contract for one year. The Campton Board of Selectmen did not agree and requested a meeting.

Selectman Sabourn feels that the meeting taking place in Campton is not a problem and that concerns for COVID 19 are real. Selectman Sabourn suggested meeting with Campton and coming to a temporary agreement for one year using the population numbers from 2019. He also suggested that after one year, the boards should meet again to discuss the agreement using updated population and valuation figures.

Selectman Monti would like costs associated with the daily running of the transfer station calculated prior to the joint meeting with Campton/Ellsworth.

Chairwoman Peabody stated that the joint meeting is scheduled for Monday, and the Thornton Board is going to meet to discuss the options for the Transfer Station intergovernmental agreement extension

Selectman Monti stated that he is against the Town of Thornton paying more of a percentage rate than they are currently. Campton is proposing the use of the same percentages as determined recently for the Fire Department intergovernmental agreement, for a period of one year. They also agreed to meet again to review the percentages after one year and before establishing a multi-year agreement. Selectman Monti urged the Board to research data to determine a fair and equitable percentage for Thornton. TA Shepard agreed to perform some research on assessment values, costs, and population.

TA REPORTS:

Fondue Ave

TA Shepard stated that a petitioned warrant article was approved in 2008 to allow the town to accept Fondue Ave as a town road. The warrant article was accepted with restrictions. In 2010 the town sent a letter to Mr. Dubach stating that the town had determined that "in places the grade of Fondue Road is not close to the subdivision regulations and construction standards. During a meeting on August 25, 2010, the Board of Selectmen motioned to deny taking Fondue Road as a town road due to grade conditions and not meeting the road construction standards as specified in the Thornton Subdivision Regulations at the time of the site visit held on August 18, 2010." The developer, Dubach, is asking that the Board consider revisiting the acceptance of this road.

Selectman Sabourn stated that a valid warrant article was submitted and approved with restrictions, but the road did not meet those restrictions. Selectman Sabourn recalled that years ago, the developer Mr. Dubach had asked the town to accept the road prior to the final coat of paving. Mr. Dubach was informed at that time that the town could not accept the road due to the grading, and the developer decided to pave the road anyway. The deed states that the developer, Dubach, is responsible for the road maintenance until the town accepts the road as a town road. Selectman Sabourn stated that the road still does not meet town requirements for acceptance.

Chairwoman Peabody asked to review the subdivision file. The Board agreed to discuss this further at their next meeting.

Junkyard Complaint - 157 Sunrise Hill Road

TA Shepard informed the Board that a junk yard complaint was received regarding 157 Sunrise Hill Road.

Chairwoman Peabody visited the area and viewed 9 vehicles from the road. The Board agreed to send a certified letter to the property owner. Selectman Sabourn will work with Desiree Mahurin to draft a letter to the property owner.

Selectman Monti stated that the Board should come up with a process to follow for compliance concerns so that the same process is followed for all. Chairwoman Peabody confirmed that the Board has been following a consistent process.

Concerned Citizen – Pemi-River Campground

TA Shepard informed the Board that a concerned citizen report was filed regarding activity at the Pemi-River campground.

Selectman Sabourn stated that the Pemi-River Campground attended a preliminary meeting for an expansion of the campground with the Planning Board. There has been a discussion at the Planning Board meeting, but an official application has not been submitted yet.

Chairwoman Peabody stated that this is an issue that may need to be addressed with the Planning Board. Selectman Monti suggested viewing the area to determine the

extent of the activity at the campground. Selectman Benton and Jack Gaites agreed to visit the campground and report back to the Board of Selectmen at their next meeting.

Application for wholesale request

TA Shepard informed the Board that Sean Boisvert of 38 Northpointe Road, has asked the Board to approve an application to receive a wholesale permit from the State of NH to allow him to attend auto auctions. The business name is listed as Patriot Autosale LLC. The property owner has no intention of operating a home business from this location and assured TA Shepard that there will be no business activity from his home.

The Board agreed to indicate that a home auto business would need permission of the planning board directly on the wholesale application. The questions answered by the Board on the application also indicate that the property is not approved for a home business.

MOTION: "To approve the Patriot Wholesale LLC application to the State of NH."

Motion: J. Monti

Seconded: B. Benton

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes,
Joe Monti – yes, Jack Gaites – yes.

Motion Passes: 5 – Yes, 0 – No Abstained: 0

Tree Removal

Some of the hazardous trees at the cemetery have been removed successfully. Richard Baker, Trustee of Trust Funds, determined that there are additional funds in the cemetery trust funds to have additional trees removed in the future.

Winter Sand Bid Process

TA Shepard informed the Board that the Winter Sand Bids have been advertised.

Office hour change for Nov. 3

TA Shepard stated that Desiree Mahurin has requested permission to close the town office early on Tuesday, November 3 at 4pm rather than 6pm so that she will have time to go to the polls to vote in her town.

Selectman Monti suggested checking with the Town Clerk, as he believes absentee ballots can be dropped off until 6pm. TA Shepard stated that her understanding is that ballots can be dropped off at the town hall until 5:00 p.m., and indicated that the town office may need to remain open until at least 5:00 p.m. The Board agreed to have TA Shepard discuss the closing of the office at 5:00 p.m. with the town clerk and AA Mahurin. The board will support this request as long as the town clerk confirms that the town office is permitted to close at 5:00 p.m.

Questionnaire for Broadband Internet Access

The Board reviewed a questionnaire regarding Broadband Internet access. The Board agreed to include this on the town website.

Emergency Management Committee Meeting

Selectman Monti informed the Board that the Emergency Management officials held a meeting and made some updates to the Emergency Management Operations Manual. A section was added for pandemics. The draft will be rediscussed at their next meeting. Chief Miller will present a final draft to the Board of Selectmen for their review.

6:57 p.m. MOTION: "To enter into non-public session under RSA 91-A:3, II (I-legal)."

Motion: R. Sabourn

Seconded: J. Gaite

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes,
Joe Monti – yes, Jack Gaite - yes.

Motion Passes: 5 – Yes, 0 – No Abstained: 0

7:16 p.m. MOTION: "To exit non-public session."

Motion: R. Sabourn

Seconded: J. Gaite

Discussion: None

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Roy Sabourn – yes,
Joe Monti – yes, Jack Gaite - yes.

Motion Passes: 5 – Yes, 0 – No Abstained: 0

7:17p.m. MOTION: "To adjourn."

Motion: R. Sabourn

Seconded: B. Benton

Discussion: None.

Roll Call: Marianne Peabody – yes, Brad Benton – yes, Joseph Monti – yes,
Jack Gaite – yes, Roy Sabourn – yes.

Motion Passes: 5 – Yes, 0 – No

Respectfully submitted,

Jessi Fleury
Board Secretary